

Serial No. 09/873,259

Docket No. NIT-278

Amendment dated July 2, 2007

Response to Final Office Action mailed March 2, 2007

REMARKS/ARGUMENTS**Pending Claims**

Claims 1-10 are pending in this application. Claims 1 and 7 have been amended. No new matter has been added.

Claim Rejections under 35 U.S.C. §112

Claim 1 has been rejected under 35 U.S.C. §112, second paragraph, for insufficient antecedent basis for a claim limitation. Applicants request reconsideration of the rejection in view of the amendments made to the claim that delete the language objected to. Therefore, the rejection under 35 U.S.C. § 112, second paragraph should be withdrawn.

Claim Rejections under 35 U.S.C. §103

Claims 1-4 are rejected under 35 U.S.C. §103(a) as being unpatentable over Huberman, U.S. Patent No. 5,826,244 in view of Koopersmith, U.S. Pregrant Publication No. 2001/0042002. Claims 5-10 are rejected under 35 U.S.C. §103(a) as being unpatentable over Huberman. Applicants request reconsideration of the rejection for the following reasons.

In the invention of claims 1-10, the brokerage service is provided by a brokerage computer residing between a user computer or information terminal and (plural) auction servers that perform brokerage operations for an auction. In this way, commodities available from sellers are able to be auctioned by a plurality of independent auction sites or servers rather

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than just by an individual site or server. Further, the auction brokerage service manages the auction information of each commodity registered at the (plural) auction sites by receiving auction result information from the selected auction servers and notifying the information terminal of the auction result information and outputting the auction result until the auctions is concluded. Thus, the brokerage computer of the present invention is different from an auction server since it receives auction result information from selected auction servers and notifies the user's computer or information terminal of the auction result information from the (plural) auction servers.

Huberman is relied upon in the rejection for showing an auction brokerage computer. However, the auction brokerage computer of Huberman is equivalent to an independent auction site which would be one of the plural auction sites or servers described and claimed in the present invention.

In Huberman, the brokerage computer performs the role of being a host to conduct an auction on its own. By contrast, the present invention provides a service that enables commodities offered for auctioning by sellers to be registered on auction sites that are selected by the seller (user). Accordingly, the brokerage server does not host an auction itself, but rather provides the commodities being offered for auction to a plurality of independent auction sites. In this way, the commodities are introduced into a market having a plurality of auction sites or servers, such as eBay and Yahoo, etc. By offering the commodities to a plurality of auction sites or auction servers, more bidders are given a chance to bid on the commodity, increasing the opportunity of bidding and achieving the market price more quickly.

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As is well known to one having ordinary skill in the art, a seller usually proposes a commodity for auction at a single auction site by registering the commodity at a single auction server, i.e. a single auction server is selected by the user. It was not known in the art at the time of the invention to offer a commodity over a plurality of auction sites at the same time. One having ordinary skill in the art would not be motivated to register a commodity on plural auction sites since the trade on one site could reach conclusion independently of the other sites and since the bidders would not have information about the commodity from the auction process occurring at other auction sites.

According to the present invention, this problem is resolved by offering a commodity for a plurality of auction sites through a brokerage service that intervenes between the seller terminal and the auction sites. When providing the commodity to a plurality of auction sites, the auction result information from the auction servers is received by brokerage computer and the auction result information is output to the user's terminal. Further, since the commodity is likely to have more than one bidder among the auction sites, the other selected auction sites are notified of the highest tendered price of the bids in order to adjust the bid prices to the highest price over all of the auction sites (claims 2 and 8).

The third party services that are well known in the art at the time of the invention, which are mentioned in the Office Action, such as eBay, NYSE and stock exchanges, etc. are not the same as the brokerage service or brokerage computer of the present invention. Brokers, such as financial institutions and merchandise traders, select an exchange suitable for the seller's commodity. The seller is unable to provide a commodity to a plurality of exchanges, however.

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That is, the exchanges are grouped to provide commodities of a particular type, such as commodity markets for metal (NYMEX) or for grain (CBOT). In the field of the present invention, therefore, one having ordinary skill in the art knows that traditional brokerages as mentioned in the Office Action are limited to certain commodities and a seller is therefore not apt to select multiple brokerages on which to register its commodities. Accordingly, traditional brokerages are not equivalent to the brokerage service or brokerage computer provided by the present invention.

Koopersmith is relied upon for disclosing how users reach targeted information. Neither Huberman nor Koopersmith disclose or suggest selecting information of auction servers suitable for user's condition from among stored information related to the auction servers and transmitting the auction registration request to each of the auction servers that have been selected, as claimed. Accordingly, reconsideration of the rejections under 35 U.S.C. §103(a) are respectfully requested.

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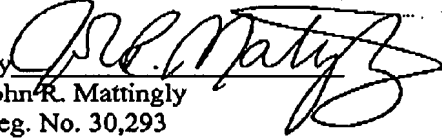
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Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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